



U.S. Department of Justice

Executive Office for Immigration Review

Board of Immigration Appeals

Chairman

5107 Leesburg Pike, Suite 2400
Falls Church, Virginia 22041

S-L 99-28

July 2, 2002

MEMORANDUM TO: Board Members

FROM: Lori L. Scialabba *LJS*
Acting Chairman

SUBJECT: Additional Streamlining Categories

In addition to the authority already provided in 8 C.F.R. § 3.1(a)(1) for single Board Members to exercise the authority of the Board of Immigration Appeals, and pursuant to the authority delegated to me in 8 C.F.R. § 3.1(a)(1), I hereby designate the following category of cases to be cases involving "other procedural or ministerial issues" which are appropriate for review and disposition by a single Board Member exercising the authority of the Board of Immigration Appeals:

Procedural & Ministerial.

Appeal and Motion cases involving a claim for relief under former section 212(c) of the Immigration and Nationality Act, 8 U.S.C. § 1182(c), in which the disposition is controlled by the United States Supreme Court's decision *INS v. St. Cyr*, ___ U.S. ___, 121 S.Ct. 2271 (2001) as follows. To the single Board Member adjudications authorized by S-L 99-19, August 9, 2001, I add the following:

- A. Appeals and motions in which the alien is not eligible for section 212(c) relief under *INS v. St. Cyr, supra.*, because the alien did not enter into a plea agreement, but rather was tried and found guilty.